

# **EXHIBIT 5**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

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ePLUS, INC. : Civil Action No.  
vs. : 3:09CV620  
LAWSON SOFTWARE, INC. : January 11, 2011  
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COMPLETE TRANSCRIPT OF THE JURY TRIAL

BEFORE THE HONORABLE ROBERT E. PAYNE

UNITED STATES DISTRICT JUDGE, AND A JURY

APPEARANCES:

Scott L. Robertson, Esquire  
Michael G. Strapp, Esquire  
Jennifer A. Albert, Esquire  
David M. Young, Esquire  
Goodwin Procter, LLP  
901 New York Avenue NW  
Suite 900  
Washington, D.C. 20001

Craig T. Merritt, Esquire  
Christian & Barton, LLP  
909 East Main Street  
Suite 1200  
Richmond, Virginia 23219-3095  
Counsel for the plaintiff

Peppy Peterson, RPR  
Official Court Reporter  
United States District Court

1 APPEARANCES: (cont'g)

2 Dabney J. Carr, IV, Esquire  
3 Troutman Sanders, LLP  
4 Troutman Sanders Building  
1001 Haxall Point  
Richmond, Virginia 23219

5 Daniel W. McDonald, Esquire  
Kirstin L. Stoll-DeBell, Esquire  
6 William D. Schultz, Esquire  
Merchant & Gould, PC  
7 80 South Eighth Street  
Suite 3200  
8 Minneapolis, Minnesota 55402

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1 is where I lost you. ^ you check out at the customer, not the  
2 customer but the vendor site and then it was at that point  
3 where I got lost.

4 Q Let me start over. Let's hear the whole question. When  
5 users have filled their shopping carts, virtually speaking, and  
6 checked out from the vendor website using Lawson procurement  
7 punchout, the chosen items and their price are then returned to  
8 the Lawson server, and a requisition is created using the  
9 Lawson requisition self-service application; correct?

10 A That's correct.

11 Q Isn't it true that the current version of the Lawson  
12 procurement punchout includes the capability to punch out to  
13 multi-vendor catalogs?

14 A That's correct.

15 Q One of those examples of a site that you can go that is a  
16 multi-catalog vendor -- excuse me, multi-vendor catalog, is  
17 SciQuest; correct?

18 A That's correct.

19 Q Another example of a multi-vendor catalog site that's  
20 available for the punchout procurement is an organization known  
21 as GHX; correct?

22 A That is correct.

23 Q That stands for Global Healthcare Exchange?

24 A That's correct.

25 Q And Global Healthcare Exchange that provides this

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1 multi-vendor catalog capability is a punchout trading partner  
2 of Lawson; correct?

3 A That's correct. They are on the list, yes.

4 Q It's an accurate statement to say that if Lawson could not  
5 market a requisition module, it could not effectively compete  
6 in the supply chain management product market?

7 A I would say that that would be an accurate statement, yes.

8 Q It's also accurate to say if Lawson could not offer a  
9 purchase order module, Lawson could not effectively compete in  
10 the supply chain management product market?

11 A That would also be correct.

12 Q You've heard a lot of talk about the implementation and  
13 installation services that Lawson offers. I just want to be  
14 clear that Lawson will provide implementation services to  
15 assist its customers with importing vendor catalog data into  
16 the item master.

17 A I didn't hear a question in that, sir.

18 Q Let me restate it then. Perhaps I misspoke. Is it true  
19 that Lawson provides implementation services to assist its  
20 customers with importing vendor catalog data into the item  
21 master?

22 A If the customer so chooses and wants that service, yes, we  
23 do.

24 Q So for most situations where a customer licenses the  
25 supply chain management suite or the procurement modules we've